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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/642,763	08/19/2003	Vcas	1721-67

23117
NIXON & VANDERHYE, PC
1100 N GLEBE ROAD
8TH FLOOR
ARLINGTON, VA 22201-4714



CONFIRMATION NO. 3291
FORMALITIES LETTER



0000000011365380

Date Mailed: 11/28/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.138(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents

01/06/2004 YGIZAW 00000003 141140 1064779. Box 1450
01 FC:1051 130.00 DA Alexandria VA 22313-1450

A copy of this notice **MUST** be returned with the reply.

Adjustment date: 04/05/2004 6DIRETA1
01/06/2004 YGIZAW 00000003 141140 10642763
01 FC:1051 130.00 CR



United States
Patent and
Trademark Office



STATUS AND ENTITY
BRANCH

2004 MAR 29 PM 4:56

Deposit Account Statement

Requested Statement Month:

January 2004

Deposit Account Number:

141140

Name:

NIXON & VANDERHYE P.C.

Attention:

LENARD MITCHARD

Address:

1100 N GLEBE ROAD

City:

ARLINGTON

State:

VA

Zip:

22201-4714

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/06	6	10642763	1721-67	51 1051	✓ \$130.00	\$19,944.98



STATUS AND ENTITY
BRANCH

Copy

New Patent Application C#/M#: 1721-67 2004 MAR 29 PM 4: 56

Serial No.: cont of 08/913,525 Date: August 19, 2003

Inventor/s: VEAS Atty: BJS

Title: IMMUNOGENIC COMPOSITIONS FOR USE AS
VACCINES

XX Preliminary Amendment

37 Pages Specification, claims & Abstract 1 page

13 Claims

\$ Fee (Check) - Pre-Bill

\$822.00 Fee (Check) - Non Pre-Bill

\$0.00 Total Fee Enclosed

Other: Information Disclosure Statement; PTO-1449

Form; Copy of International Search Report; Request;
Copy of Sequence Listing; Copy of English translation
of pages 10, 24 and 27 attached to the corrected IPER

New Patent Application C#/M#: 1721-67

Serial No.: cont of 08/913,525 Date: August 19, 2003

Inventor/s: VEAS Atty: BJS

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13 Claims

XX Declaration (1 Page)

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\$822.00 Fee (Check) - Non Pre-Bill

\$0.00 Total Fee Enclosed

Other: Information Disclosure Statement; PTO-1449 Form;

Copy of International Search Report; Request; Copy of

Sequence Listing; Copy of English translation of pages 10, 24 and 27 attached to the corrected IPER

15535 U.S. PTO
10/642763





DEP 7 REF
Room 307

OFFICE OF FINANCE
REFUND BRANCH
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 MAR 31 10:14:56

In re Patent Application of

VEAS

Serial No. 10/642,763

Filed: August 19, 2003

For: IMMUNOGENIC COMPOSITIONS FOR USE AS
VACCINES

US PATENT & TRADEMARK
Atty. Ref. 1721-67

Group: 1653

Examiner: Unassigned

* * * * *

March 25, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REFUND REQUEST

The Office is requested to refund the undersigned's Deposit Account for the \$130.00 debited to Deposit Account No. 14-1140 in the monthly statement of January 2004, copy attached. A further explanation of the charge is requested in the event the Patent Office continues to believe the charge was appropriately made.

The late Oath or Declaration surcharge of \$130 is not believed to be required since the Declaration was filed with the application on August 19, 2003, as evidenced by the attached copy of the previously filed Declaration and the undersigned's date-stamped postcard.

VEAS

Serial No. 10/642,763

Accordingly, in view of the above and attached, the \$130.00 fee charged by the
Patent Office to the undersigned's Deposit Account in the attached statement of January 2004
2004 is believed to be in error and a refund of the noted amount is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

B. J. Sadoff

Reg. No. 36,663

BJS:pp
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Atty. Dkt.: 1721-67
Date: August 19, 2003

15535 U.S. PTO
10/642763
08/19/03

Sir:

Attached for filing is the patent application of:

Inventor: VEAS

Entitled: IMMUNOGENIC COMPOSITIONS FOR USE AS VACCINES

and including attachments as noted below:

☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract
37 pages of specification and claims (including 13 numbered claims), and
sheets of accompanying drawing/s.

☐ Record the attached assignment to

☐ Attached is a Power of Attorney.

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number

FR 9901794

Country

France

Day/Month/Year Filed

15 February 1999

15 February 2000

PCT/FR00/00375

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on _____ in prior appln. no. _____

☐ This application claims the benefit of Provisional Application No. _____, filed _____, the entire content of which is

☒ This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 09/913,525, filed September 12, 2001, which is a 371 U.S. national phase of PCT/FR00/00375, filed 15 February 2000, which designated the U.S., the entire content of which is hereby incorporated by reference in this application.

☒ Petition filed in prior application to extend its life to insure co-pendency.

☒ The prior application is assigned to Institut De Recherche Pour Le Developpement (I.R.D.), Paris Cedex 10, France. It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.

☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

☒ Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☒ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☒ Other: PTO-1449 Form; Copy of International Search Report; Request; Copy of English translation of pages 10, 24 and 27 attached to the corrected IPER

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee

Total effective claims	24	- 20 (at least 20) =	4	x \$ 18.00	\$	750.00
Independent claims	1	- 3 (at least 3) =	0	x \$ 84.00	\$	72.00
If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)						\$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract

SUBTOTAL \$ 822.00

Assignment Recording Fee (\$40.00)

SECOND SUBTOTAL \$ 822.00

TOTAL FEE ENCLOSED \$ 822.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

Correspondence Address:

Customer Number:

23117

Telephone: (703) 816-4000

Facsimile: (703) 816-4100

BJS:plb

NIXON & VANDERHUYE P.C.

By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____

767346

RULE 37.17 C.F.R. 1.53)
**DECLARATION AND POWER OF ATTORNEY
 FOR PATENT APPLICATION
 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE STATUS AND ENTITY
 BRANCH**

I, a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) the subject matter which is claimed and for which a patent is sought on the invention entitled:

2004 MAR 29 PM 4:56

specification of which (check applicable box(s)):

is attached hereto.
 was filed on _____ as U. S. Application Serial No. _____
 was filed as PCT international application No. PCT/ FR00/00375 on February 15, 2000
 (if applicable to U.S. or PCT application) was amended on May 18, 2001


I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate as set forth below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application which priority is claimed or, if no priority is claimed, before the filing date of this application:

Foreign Application(s): Application Number	Country	Day/Month/Year Filed
99 01 794	FR	15/02/1999

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

or U.S./PCT Application(s): Application Serial No.	Day/Month/Year Filed	Status: patented, pending, abandoned
PCT/FR00/00375	15/02/2000	pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint NIXON & VANDERMEY P.C., 1100 North Glebe Rd., 8th Floor, Arlington, VA 20147-14, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 29327; Larry S. Nixon, 25640; Robert A. Vandermeye, 27079; James T. Mosher, 184; Robert W. Paris, 31352; Richard G. Besha, 22770; Mark E. Nussbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byrne, 32366; Paul J. Henon, 33629; Jeffery H. Nelson, 30481; John R. Lastova, 33149; H. Allen Burnam, Jr., 29366; Thomas E. Byrne, 32205; Mary J. Wilson, 32555; J. Scott Davidson, 33439; Jerry D. Craig, 38025.

Inventor's Signature				Date	July 26, 2001		
Inventor's Name (typed)	Francisco	VEAS	FR	First	Middle Initial	Family Name	Citizenship
Residence (City)	MAUGUIO	(State/Foreign Country)	FRANCE	Zip Code	34130		
Post Office Address	Mas Abrigas						
Inventor's Signature				Date			
Inventor's Name (typed)				First	Middle Initial	Family Name	Citizenship
Residence (City)		(State/Foreign Country)		Zip Code			
Post Office Address							
Inventor's Signature				Date			
Inventor's Name (typed)				First	Middle Initial	Family Name	Citizenship
Residence (City)		(State/Foreign Country)		Zip Code			
Post Office Address							

IF ADDITIONAL INVENTORS, check box ☒ and attach sheet with same information and signature and date for each.